

September 10, 2002

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

INDIGENT DEFENSE CONTRACT AT WEST COVINA COURT

This is to advise your Board of anticipated cost over runs involving the contract between the County of Los Angeles and the Citrus Alternate Defenders for second tier indigent defense representation at West Covina Court.

The contract covers the period October 1, 2001 through September 30, 2002 and requires Citrus Alternate Defenders to provide all legal defense services typically provided by the Public Defender (PD). Citrus Alternate Defenders is compensated \$145,000 for all misdemeanor and felony indigent defendants appointed to the contractor during the term of the contract through completion of each case with the average cost per case at \$270.00. The contract provides that if the contractor can demonstrate a material increase in workload as a result of diminished PD staffing, the contractor may request additional compensation.

The PD has been unable to provide coverage in two courtrooms due to attorney attrition and the opening of a Proposition 36 Drug Court. The PD declared unavailability on 1,768 cases so far this contract year. Consequently, the contractor has been providing first tier representation on all new cases in the two courtrooms and has advised my office of their intention to seek additional compensation for workload increases attributable to lawful unavailability by the PD.

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The actual number of unavailable cases subject to additional compensation will not be known until the contract period ends September 30, 2002. At that time, we will work with the PD to confirm the unavailable caseload reported by the contractor and negotiate with the contractor a fair price for the extra workload. Since the contract provides that all changes in compensation require the Board of Supervisors' approval, we will return to your Board for authorization to compensate the contractor. Funding is available in the Trial Court Indigent Defense Operating Budget to cover this cost.

Please call me if you have any questions or your staff may call Rosemary Gutierrez at (213) 974-1148.

DEJ: DL
RG:ljp

Indigent-w.bm